

**REMARKS/ARGUMENTS**

Claims 9 to 11 and 22 to 23 remain in the current application. Claims 9 and 22 have been amended while claim 24 has been cancelled without prejudice. Claims 1 to 8 and 12 to 21 were previously cancelled.

Claim 22 has been objected to since the Examiner has stated that the limitation "a drilling fluid" is confusing. Applicant has replaced the phrase "a drilling fluid" with the phrase "the drilling fluid". Retraction of the Examiner's objection to claim 22 is respectfully requested.

Claims 9 to 11 and 22 to 24 have been rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 3,894,402 to Cherrington ("Cherrington"). Applicant respectfully submits that amended Claims 9 to 11 and 22 to 23 are patentable over Cherrington. Claim 9 has been amended to include the subject matter of the slurry being guided directly through the pullhead to an interior of the pipe.

Cherrington discloses the subject matter of a return pipe 62, which is used to relieve the pressure of the drilling mud in annulus 44. The return pipe 62 communicates with holes in the wall 66 of the production casing 32 and not the pullhead/reamer 30. Shown in figure 4 and described in column 4 line 54 to column 5 line 2, the drilling mud first exits the pullhead/reamer and "flows into the annulus". The drilling mud may be removed from the annulus 44, the void between the production casing 32 and the hole being drilled, by way of a return pipe 62 having a plurality of extensions 64, which communicate with holes 66 in the wall of the production casing 32. Therefore, Cherrington discloses removing the drilling mud or slurry after it has already entered the annulus and removing it through holes in the production casing 32. Cherrington does not contemplate removing the drilling mud through the pullhead/reamer. The removal in Cherrington would require the additional holes 66 to be provided in the walls of the production casing 32, which could damage the integrity of the production casing.

As claimed, Claim 9 now includes the subject matter of "guiding said slurry directly through the pullhead to an interior of said pipe causing said slurry to travel along said interior of said pipe to an opposite end of said pipe", the slurry being a combination of the dislodged earth and a liquid, such as bentonite, equivalent to the drilling mud discussed in Cherrington. As claimed in claim 9 and disclosed in paragraph 41, while the pullhead/reamer is rotating, the

pullhead/reamer causes the slurry to enter the pullhead/reamer via flutes located in its surface. After the slurry has entered the pullhead/reamer, the slurry is forced into the steel connect and pipe. By directing the sludge directly through the pullhead/reamer, there is an advantage that a smaller sized pullhead/reamer can be used for the drilling process (see paragraph 43). No further holes would need to be provided in the production casing or pipe as the slurry is removed prior to entering any annulus. Further advantages of the method of the claimed invention are disclosed at paragraph 49.

Therefore, Cherrington clearly teaches the drilling mud being directed into the annulus prior to being directed towards the return pipe via the set of holes 66 within the walls of the casing 32. This process is unlike that which is claimed in claim 9 wherein the slurry is directed through the pullhead. Therefore, Cherrington does not anticipate the subject matter as claimed. Retraction of Examiner's rejection of Claims 9 to 11 and 22 to 24 is respectfully requested.

For at least the above reasons, it is respectfully submitted that the application is now in condition for allowance, which is requested.

The Commissioner is hereby authorized to charge any additional fees, and credit any over payments, to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.

Respectfully submitted,  
**ROTH, Ray, et al.**

By: /Jeffrey W. Wong/  
Jeffrey W. Wong  
Registration No. 46,414  
Agent for Applicant  
Borden Ladner Gervais LLP  
100 Queen Street  
Ottawa , Ontario  
Canada K1P 1J9  
Telephone: 519-579-5600  
Fax: 519-741-9149